

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEBRA PANIAGUA,

Plaintiff,

v.

COUNTY OF ALAMEDA, et al.,

Defendants.

No. C 10-01981 CW

ORDER GRANTING  
DEFENDANTS'  
MOTION TO DISMISS  
(Docket No. 9)

In its Order of October 8, 2010, the Court warned Plaintiff Debra Paniagua that, if she did not file an opposition to the motion to dismiss of Defendants County of Alameda, et al., by October 14, 2010, her case would be dismissed for failure to prosecute. She timely filed a response in which she sought leave to amend, but she did not offer a substantive opposition to Defendants' motion. Plaintiff apparently concedes that she has failed to state any of her claims.

Accordingly, the Court GRANTS Defendants' Motion to Dismiss. (Docket No. 9.) Plaintiff is granted leave to amend to cure the deficiencies identified in Defendants' motion.

Plaintiff shall file an amended complaint within fourteen days of the date of this Order. If she do so, Defendants shall file their answer or a motion to dismiss twenty-one days thereafter. If a motion to dismiss is filed, Plaintiff's opposition shall be due fourteen days later, and Defendants' reply shall be due seven days after that. The motion will be taken under submission on the papers. Plaintiff's failure to file an amended complaint will

1 result in the dismissal of her action for failure to prosecute.

2 The initial case management conference, set for November 30,  
3 2010, is continued to January 25, 2010 at 2:00 p.m.

4 IT IS SO ORDERED.

5  
6 Dated: 11/2/2010

  
CLAUDIA WILKEN  
United States District Judge